

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

S.L.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CASE NO.: 1:22-CV-167 (LAG) (TQL)
	:	
Commissioner of Social Security,	:	
	:	
Defendant.	:	
	:	

ORDER

Before the Court is the Report and Recommendation (R&R) (Doc. 19) on Plaintiff’s Motion for Attorney’s Fees under the Social Security Act 42 U.S.C. § 406(b) (Motion). (Doc. 17). In the Motion, Plaintiff “requests approval of a fee of \$17,172.17 less the \$670.09 previously paid to the Plaintiff’s attorney under the Equal Access to Justice Act for a net total of \$16,502.08.” (Doc. 17-1 at 2). In the R&R, the Magistrate Judge recommends that the Motion be granted in part and denied in part, and “that Plaintiff’s counsel be authorized to recover \$2,304.91 out of Plaintiff’s past-due benefits.” (Doc. 19 at 5). The R&R triggered the fourteen-day period provided under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(2) for the Parties to file written objections. Neither Party filed an objection to the R&R. (*See* Docket).

District courts have “the duty to conduct a careful and complete review” to determine “whether to accept, reject, or modify [a] magistrate judge’s report and recommendations[.]” *Williams v. Wainwright*, 681 F.2d 732, 732 (11th Cir. 1982) (per curiam) (citation omitted). The court reviews de novo dispositive portions of a magistrate judge’s report and recommendation to which a party objects. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3). The court reviews unobjected-to portions of the report and recommendation and non-dispositive orders for clear error but may order a hearing or

conduct a de novo review if necessary. *See* 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a); *Wainwright*, 681 F.2d at 732.

CONCLUSION

Here, because no Party objected to the R&R, the Court reviews the R&R for clear error. *See* 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a); *Wainwright*, 681 F.2d at 732. Upon careful and complete review of the R&R and the record in this case, the Court finds no clear error in the R&R. Accordingly, the R&R (Doc. 19) should be, and hereby is, **ACCEPTED, ADOPTED**, and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, the Motion is **GRANTED in part** and **DENIED in part**, and Plaintiff's counsel is authorized to recover \$2,304.91 out of Plaintiff's past-due benefits.

SO ORDERED, this 26th day of December, 2024.

/s/ Leslie A. Gardner

**LESLIE A. GARDNER, CHIEF JUDGE
UNITED STATES DISTRICT COURT**